

An accessory dwelling is a small home that is built in addition to the primary dwelling on a lot. They are commonly known as mother-in-law apartments, granny-flats, or studio apartments. An accessory dwelling may be attached or detached from the primary dwelling and includes space for living, sleeping, food preparation, and bathroom facilities. Unannexed properties within Eugene's Urban Growth Boundary include a /UL Urbanizable Land Overlay zone in addition to the base zoning. Accessory dwellings are permitted in the AG/UL, R-1/UL, R-2/UL, R-3/UL, and R-4/UL zones subject to the following standards.

## Land Use Code Requirements

Urban Transition Area Land Use Code, Section 9.2741

If the accessory dwelling is **within the same building** as the primary dwelling:

- The size, measured from the exterior walls, cannot exceed 800 square feet, unless occupying the full story of a multi-story structure with ground floor residential use.
- The maximum building height\* is 30 feet.
- The minimum front yard setback is 10 feet.
- The minimum interior yard setback is 5 feet, unless located on a flag lot created after December 25, 2002, in which case the interior yard setback is 10 feet.

If the accessory dwelling is **detached**:

- The size, measured from the exterior walls, cannot exceed 800 square feet, unless occupying the full story of a multi-story structure with ground floor residential use.
- If located within 20 feet from a property line, maximum building height\* is 15 feet.
- If located greater than 20 feet from a property line, maximum building height\* is 20 feet.
- The minimum front yard setback is 10 feet.
- The minimum interior yard setback is 5 feet, unless located on a flag lot created after December 25, 2002, in which case, the interior yard setback is 10 feet.
- The primary entry must be defined by a roofed porch.
- Outdoor storage and garbage areas must be screened from view from adjacent properties and those across the street or alley.

\**Building height* is the vertical distance above a reference datum measured to the highest point of the coping of a flat roof, to the deck line of a mansard roof, or to the average height of the gables of a pitched or hipped roof. The reference datum shall be whichever of the following two measurements results in the greater building height:

- (A) The reference datum is the lowest grade when the highest ground surface within a five-foot horizontal distance of the exterior wall of the building is not more than 10 feet above the lowest grade.
- (B) The reference datum is 10 feet higher than the lowest grade when the highest ground surface described in item (A) above is 10 feet or more above the lowest grade.

Accessory dwellings must comply with other development standards such as:

- Maximum lot coverage
- Solar setbacks
- Undergrounding of utilities

The /UL Urban Transition Area Land Use Code is available online at [www.eugene-or.gov/chapter9](http://www.eugene-or.gov/chapter9).

Please contact Land Use staff at 541-682-8336 or [landuseinfo@ci.eugene.or.us](mailto:landuseinfo@ci.eugene.or.us) for information related to these development standards.

*Note: This document should not be used as a substitute for codes and regulations. The applicant is responsible for compliance with all code and rule requirements, whether or not described in this document.*

[www.eugene-or.gov/bps](http://www.eugene-or.gov/bps)

## Building Code Requirements

Oregon Residential Specialty Code (ORSC)

### Dwelling Unit Separation

ORSC R302.3, Appendix K

Fire Separation:

- The dwellings must be separated to prevent a fire from spreading from one unit to the other. The separation must consist of either:
  1. A 6-foot open space between detached buildings, or
  2. 1-hour fire-resistance rated walls and/or floor-ceiling assemblies.

The walls or floors must be constructed to provide a complete separation between units. For example, wall assemblies must extend through attic spaces to the underside of the roof sheathing. The structure that supports a fire-rated floor (bearing walls, beams, columns) must also be protected to achieve a 1-hour rating.

- A detailing of the proposed fire-rated construction must be provided in the plans. Fire-rated assemblies may be found in the Gypsum Association's [Fire Resistance Design Manual](#), UL's Fire Resistance Directory, Chapter 7 of the Oregon Structural Specialty Code (OSSC), or other resources.

Sound Insulation:

- Wall and floor assemblies that separate dwelling units are required to have a Sound Transmission Class (STC) of 45. In addition, floor assemblies are required to have an Impact Insulation Class (IIC) of 45.

### Mechanical Systems

ORSC M1305, M1602

- All heating and cooling equipment must be located so access is available to both dwelling occupants.
- Equipment installation in one dwelling that serves the adjacent dwelling is not permitted, although separate systems or a common access area are options.
- Providing a key to gain entry to one unit is not an option since continued access cannot be assured.
- Forced air heating systems must not take return air from one dwelling unit and supply it to another.

### Water Heaters

Oregon Plumbing Specialty Code (OPSC) 605.3

Similar to mechanical systems, water heaters must be accessible to the occupants of each dwelling. Separate systems or a common accessible area for the water heater are acceptable.

### Electrical Systems

Oregon Electrical Specialty Code (OESC) 240.24

A separate electrical meter is required for each dwelling and access for the occupants of each dwelling unit must be provided to the electrical panel. Discussing variations with an electrical inspector is advised prior to performing any work.

Please contact a residential plan reviewer at [residentialpremitinfo@ci.eugene.or.us](mailto:residentialpremitinfo@ci.eugene.or.us) or 541-682-5611 for any building code related questions.

### Systems Development Charges

EC 7.700, City of Eugene SDC Methodologies

A new accessory dwelling may generate Systems Development Charges (SDCs), which are paid at the time the building permit is issued. These fees are used to support the public infrastructure (roads system, stormwater, wastewater, and parks) that the new development will impact.

Please contact Public Works staff to discuss SDC's, including payment options which may include monthly or semi-annual payments. They can be reached at the Permit and Information Center (99 W. 10th Avenue), [publicworksinfo@eugene-or.gov](mailto:publicworksinfo@eugene-or.gov), or 541-682-8400.

The Eugene Water & Electric Board (EWEB) collects a separate water SDC. Contact EWEB at 541-484-2411 for more information.

### Fire Code Requirements

Oregon Fire Code (OFC)

Depending on such factors as size, location on site, and availability of water, an accessory dwelling may trigger requirements for fire protection and safety, including sprinklering for the structure.

For information, please contact Fire Prevention staff at the Permit & Information Center.

[www.eugene-or.gov/bps](http://www.eugene-or.gov/bps)